



MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and a joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled POSTBACK INPUT HANDLING BY SERVER-SIDE CONTROL OBJECTS, the specification of which I have reviewed and for which I filed an application for Letters Patent in the United States Patent and Trademark Office on May 18, 2000, identified therein as Serial No. 09/574,165.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.
Ali, Jeffer M.
Anderson, Gregg I.

Reg. No. 40,481
Reg. No. 46,359
Reg. No. 28,828

Lacy, Paul E.
Larson, James A.
Liepa, Mara E.

Reg. No. 38,946
Reg. No. 40,443
Reg. No. 40,066

Batzli, Brian H.	Reg. No. 32,960.	Lindquist, Timothy A.	Reg. No. 40,701
Beard, John L.	Reg. No. 27,612	Lycke, Lawrence E.	Reg. No. 38,540
Berns, John M.	Reg. No. 43,496	McAuley, Steven A.	Reg. No. P-46,084
Black, Bruce E.	Reg. No. 41,622	McDonald, Daniel W.	Reg. No. 32,044
Branch, John W.	Reg. No. 41,633	McIntyre, Jr., William F.	Reg. No. P-44,921
Bremer, Dennis C.	Reg. No. 40,528	Mueller, Douglas P.	Reg. No. 30,300
Bruess, Steven C.	Reg. No. 34,130	Pauly, Daniel M.	Reg. No. 40,123
Byrne, Linda M.	Reg. No. 32,404	Phillips, Bryan K.	Reg. No. P46,990
Carlson, Alan G.	Reg. No. 25,959	Phillips, John B.	Reg. No. 37,206
Caspers, Philip P.	Reg. No. 33,227	Plunkett, Theodore	Reg. No. 37,209
Chiapetta, James R.	Reg. No. 39,634	Prendergast, Paul J.	Reg. No. 46,068
Clifford, John A.	Reg. No. 30,247	Pytel, Melissa J.	Reg. No. 41,512
Daignault, Ronald A.	Reg. No. 25,968	Qualey, Terry	Reg. No. 25,148
Daley, Dennis R.	Reg. No. 34,994	Reich, John C.	Reg. No. 37,703
Dalglish, Leslie E.	Reg. No. 40,579	Reiland, Earl D.	Reg. No. 25,767
Daulton, Julie R.	Reg. No. 36,414	Schmaltz, David G.	Reg. No. 39,828
Devries Smith, Katherine M.	Reg. No. 42,157	Schuman, Mark D.	Reg. No. 31,197
DiPietro, Mark J.	Reg. No. 28,707	Schumann, Michael D.	Reg. No. 30,422
Edell, Robert T.	Reg. No. 20,187	Scull, Timothy B.	Reg. No. 42,137
Epp Ryan, Sandra	Reg. No. 39,667	Sebald, Gregory A.	Reg. No. 33,280
Glance, Robert J.	Reg. No. 40,620	Skoog, Mark T.	Reg. No. 40,178
Goggin, Matthew J.	Reg. No. 44,125	Spellman, Steven J.	Reg. No. 45,124
Golla, Charles E.	Reg. No. 26,896	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Gorman, Alan G.	Reg. No. 38,472	Sumner, John P.	Reg. No. 29,114
Gould, John D.	Reg. No. 18,223	Swenson, Erik G.	Reg. No. 45,147
Gregson, Richard	Reg. No. 41,804	Tellekson, David K.	Reg. No. 32,314
Gresens, John J.	Reg. No. 33,112	Trembath, Jon R.	Reg. No. 38,344
Hamer, Samuel A.	Reg. No. P46,754	Underhill, Albert L.	Reg. No. 27,403
Hamre, Curtis B.	Reg. No. 29,165	Vandenburgh, J. Derek	Reg. No. 32,179
Hertzberg, Brett A.	Reg. No. 42,660	Wahl, John R.	Reg. No. 33,044
Hillson, Randall A.	Reg. No. 31,838	Weaver, Karrie G.	Reg. No. 43,245
Holzer, Jr., Richard J.	Reg. No. 42,668	Welter, Paul A.	Reg. No. 20,890
Johnston, Scott W.	Reg. No. 39,721	Whipps, Brian	Reg. No. 43,261
Kadievitch, Natalie D.	Reg. No. 34,196	Wickhem, J. Scot	Reg. No. 41,376
Karjeker, Shaukat	Reg. No. 34,049	Williams, Douglas J.	Reg. No. 27,054
Kastelic, Joseph M.	Reg. No. 37,160	Witt, Jonelle	Reg. No. 41,980
Kettelberger, Denise	Reg. No. 33,924	Wu, Tong	Reg. No. 43,361
Keys, Jeramie J.	Reg. No. 42,724	Xu, Min S.	Reg. No. 39,536
Knearl, Homer L.	Reg. No. 21,197	Zeuli, Anthony R.	Reg. No. P45,255
Kowalchyk, Alan W.	Reg. No. 31,535		
Kowalchyk, Katherine M.	Reg. No. 36,848		

In addition, I also hereby appoint the following attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith:

Kate E. Sako, Reg. No. 32,628
Daniel D. Crouse, Reg. No. 32,022

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Homer L. Knearl
Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
303.357.1633

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Burd	First Given Name Gary	Second Given Name S.
0	Residence & Citizenship	City Kirkland	State or Foreign Country Washington	Country of Citizenship United States of America
1	Post Office Address	Post Office Address 11411 NE 103 rd Street	City Kirkland	State & Zip Code/Country WA 98033/USA
Signature of Inventor 201: 			Date: 8/2/2000	
2	Full Name Of Inventor	Family Name Cooper	First Given Name Kenneth	Second Given Name B.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship United States of America
2	Post Office Address	Post Office Address 3410 West Blaine	City Seattle	State & Zip Code/Country WA 98199/USA
Signature of Inventor 202: 			Date: 8/11/00	
2	Full Name Of Inventor	Family Name Guthrie	First Given Name Scott	Second Given Name D.
0	Residence & Citizenship	City Redmond	State or Foreign Country Washington	Country of Citizenship United States of America
3	Post Office Address	Post Office Address 17786 NE 90 th Street, Apt. U2102	City Redmond	State & Zip Code/Country WA 98052/USA
Signature of Inventor 203: 			Date: 8/2/00	
2	Full Name Of Inventor	Family Name Ebbo	First Given Name David	Second Given Name S.
0	Residence & Citizenship	City Redmond	State or Foreign Country Washington	Country of Citizenship France
4	Post Office Address	Post Office Address 10909 Avondale Road, Apt. J139	City Redmond	State & Zip Code/Country WA 98052/USA
Signature of Inventor 204: 			Date: 8/2/00	
2	Full Name Of Inventor	Family Name Anders	First Given Name Mark	Second Given Name T.
0	Residence & Citizenship	City Bellevue	State or Foreign Country Washington	Country of Citizenship United States of America
5	Post Office Address	Post Office Address 14425 NE 12 th Place	City Bellevue	State & Zip Code/Country WA 98007/USA
Signature of Inventor 205: 			Date: 8/2/00	

2	Full Name Of Inventor	Family Name Peters	First Given Name Ted	Second Given Name A.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship United States of America
6	Post Office Address	Post Office Address 2431 8 th Avenue West	City Seattle	State & Zip Code/Country WA 98119/USA
Signature of Inventor 206:			Date: 8/2/00	
2	Full Name Of Inventor	Family Name Millet	First Given Name Stephen	Second Given Name J.
0	Residence & Citizenship	City Edmonds	State or Foreign Country Washington	Country of Citizenship United States of America
7	Post Office Address	Post Office Address 8412 Olympic View Drive	City Edmonds	State & Zip Code/Country WA 98026/USA
Signature of Inventor 207:			Date: 9.20.00	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.